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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 SAMNANG SOK,

11 Petitioner,

12 v.

13 KIRSTJEN M. NELSEN, et. al.,

14 Respondents.
15

CASE NO. C18-1089 MJP

ORDER GRANTING JOINT
STIPULATION TO ALLOW
PETITIONER TO FILE AN
AMENDED COMPLAINT AND
SET A BRIEFING SCHEDULE

16 **JOINT STIPULATION**

17 WHEREAS on October 2, 2018, the parties informed the Court that U.S. Citizenship and
18 Immigration Services (“USCIS”) was taking action on Petitioner’s pending Petition for Alien
19 Relative (I-130) and had issued a Request for Evidence on Remand to Petitioner. Dkt. No. 8. The
20 parties requested that the Court hold this case in abeyance for 120 days to give Petitioner time to
21 respond and to allow USCIS to review Petitioner’s response. *Id.*

22 WHEREAS on January 30, 2019, the parties informed the Court that Petitioner mailed a
23 response to the Request for Evidence on Remand on December 22, 2018, which was received by
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1 USCIS on December 31, 2018, and that USCIS was currently reviewing the response and needed
2 additional time to issue a decision on the I-130 petition. Dkt. No. 12.

3 WHEREAS on February 13, 2019, the parties informed the Court that USCIS had denied
4 Petitioner's pending Petition for Alien Relative (I-130), and Petitioner had appealed the denial to
5 the Board of Immigration Appeals ("BIA"), which needed additional time to issue decision. Dkt.
6 No. 14.

7 WHEREAS the parties have met and conferred, and Petitioner no longer wishes to hold
8 this matter in abeyance pending Agency action. Petitioner has been unable to resolve pending
9 issues with the Department of Homeland Security.

10 WHEREAS the parties have agreed that Petitioner may file an amended complaint on or
11 before August 30, 2019, solely to address additional facts regarding Petitioner's mandamus claim
12 seeking to compel the adjudication of her Petition for Alien Relative (I-130) and request for
13 attorneys' fees.

14 WHEREAS the parties agree that Petitioner's claims can likely be decided on cross
15 motions for summary judgment. The parties request that the Court order a briefing schedule
16 where Petitioner files his motion for summary judgment on or before September 14, 2019,
17 Respondents file their opposition and cross motion for summary judgment on or before October
18 11, 2019, and Petitioner may file a reply on or before October 25, 2019.

19 WHEREAS the parties STIPULATE AND AGREE, AND JOINTLY REQUEST that the
20 Court continue enter the following Order:

- 21 1. Petitioner may file an amended complaint on or before August 30, 2019, solely to
22 address Petitioner's claim for mandamus regarding the adjudication of his Petition
23 for Alien Relative (I-130) and attorneys' fees.

